



**Before the  
House Agriculture and Natural Resources Committee  
Testimony on SB 272  
Curtis Tobias, Kansas Water Authority  
February 8, 2012**

Chairman Powell and members of the Committee, I am Curtis Tobias, a member of the Kansas Water Authority. I also serve on the Ogallala Aquifer Advisory Committee, an *ad hoc* committee of the water authority, consisting of 22 stakeholders in western Kansas, to provide advice on ways to conserve the Ogallala. I am here to relate the Ogallala Aquifer Advisory Committee's and the Kansas Water Authority's support for Senate Bill 272.

Last year, 2011, was a significant one for Kansas water on a couple fronts. One was the prolonged and serious drought. It was experienced first in the southwest, spread into central and southeast Kansas and eventually impacted nearly the entire state to some degree. Crops, livestock and some cities experienced significant difficulties under the very high heat and dry conditions. The two-year drought term permits from the Division of Water Resources allowed water users to borrow from their 2012 allocation to meet demands in 2011.

The other significant water development was the renewed effort to conserve and extend the life of the Ogallala aquifer. It is well documented that most of the Ogallala aquifer is being pumped at unsustainable levels, with many areas experiencing significant declines. Governor Brownback held an economic summit on the Ogallala aquifer July 21, 2011 in Colby, Kansas. Stakeholders were asked to give their ideas on the future of the aquifer, and what individuals and the State can do to help. One suggestion given multiple times was to give irrigators more flexibility to manage their crop water. The Ogallala Aquifer Advisory Committee took this and other comments heard at the summit, and have considered them in some detail.

The proposed changes to the multi-year flex account program proposed by the Kansas Department of Agriculture in SB 272 provides the increased flexibility for farmers to manage crop water over a five year period. It is designed to be "aquifer neutral", in that the program itself won't require a conservation component, but it also won't increase long term consumptive use. It will be immediately useful to farmers that already used a portion of their 2012 water allocation and did not enter into a two year drought term permit. The program modifications proposed in this bill allow farmers to spread the reduced 2012 amount over a five year period.

The proposed changes to the multi-year flex account will also make this program an important tool for aquifer conservation efforts. There are several approaches being discussed, such as locally developed conservation plans and limited irrigation. Once conservation measures are adopted, increased crop water management options will help farmers to achieve the goals and maximize their profits.

Thank you for the opportunity to appear before the committee. I will be glad to respond to questions at the appropriate time.